

**SCOTTSDALE**

# **BOARD OF ADJUSTMENT MEETING**

**\*\*\* AMENDED \*\* SPECIAL MEETING AND POSSIBLE EXECUTIVE**

**SESSION NOTICE AND MARKED AGENDA**

**[ADDED INFORMATION RELATED TO POSSIBLE REMOTE PARTICIPATION; RENUMBERED ITEMS;  
REWORDED ITEM No. 1]**



**BOARD OF ADJUSTMENT**

Gary Donahoe, Chair  
Jason Chocron, Vice Chair    Ryan Wagner  
Michael Gonzalez                Alexander Hayes  
Azam Qayum                        David Pierce

**Wednesday, May 1, 2024**

**Notice of Possible Executive Session:**

*Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Scottsdale Board of Adjustment and to the general public that the Board of Adjustment will hold a Special Meeting at 5:00 p.m. on Wednesday, May 1, 2024 in the City Hall Kiva Forum, 3939 N. Drinkwater Boulevard for the purpose of deciding whether to go into executive session. If authorized by a majority vote of the Board of Adjustment, the executive session will be held immediately after the vote and will not be open to the public. The agenda for the meeting is as follows:*

**5:00 P.M.**

**BOARD OF ADJUSTMENT SPECIAL MEETING AND POSSIBLE EXECUTIVE SESSION**

City Hall Kiva Forum, 3939 N. Drinkwater Boulevard

**Call to Order – 5:03 PM.**

**Roll Call – BOARD MEMBER PIERCE ABSENT.**

*One or more members of the Board of Adjustment may be attending the Special Meeting and/or the Executive Session by telephone, video, or Internet conferencing, pursuant to A.R.S. § 38-431(4).*

**1. Request for Executive Session to:**

- A. Discuss and consult with the City’s attorney for legal advice regarding statutory zoning interpretation, standard of review, Jurisdiction, aggrieved parties and legal matters related to issues raised in Case No. 3-BA-2024, HonorHealth – Definition Appeal, request for an appeal of the Zoning Administrator’s written decision dated January 30, 2024, regarding a requested interpretation involving the terms “Office” and “Hospital”. A.R.S. § 38-431.03(A)(3)

**Agenda continues on the following page**



PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING STAFF AT (480-312-7767). REQUESTS SHOULD BE MADE 24 HOURS IN ADVANCE, OR AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE ACCOMMODATION. FOR TTY USERS, THE ARIZONA RELAY SERVICE (1-800-367-8939) MAY CONTACT STAFF AT (480-312-7767).

- B. Discuss and consult with the City's attorney for legal advice regarding statutory zoning interpretation, standard of review, Jurisdiction, aggrieved parties and legal matters related to issues raised in Case No. 4-BA-2024, HonorHealth Appeal – Application to Construct Hospital by Banner Health, request for an appeal of the Zoning Administrator's written decision dated January 30, 2024, regarding a requested interpretation involving the utilization of the definition of Office to circumvent the definition of the term Hospital. A.R.S. § 38-431.03(A)(3)

If authorized by a majority vote of the Board of Adjustment, the executive session will be held immediately after the vote and will not be open to the public.

**MOTION TO ADJOURN INTO EXECUTIVE SESSION APPROVED 6-0; MOTION BY BOARD MEMBER QAYUM, 2ND BY BOARD MEMBER WAGNER.**

**Adjourn to Executive Session in the Kiva Conference Room**

**ADJOURNED TO EXECUTIVE SESSION AT 5:05 PM.**